EXHIBIT E

EXHIBIT 52

Lincoln Dale - Highly Confidential
January 21, 2016

1   UNITED STATES DISTRICT COURT

2   NORTHERN DISTRICT OF CALIFORNIA

3

4   CISCO SYSTEMS, INC.,

5   Plaintiff,

6   vs.   Civil Action No.

7   ARISTA NETWORKS, INC.,   5:14-cv-5344-BLF

8   Defendant.

9   _____

10

11   HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

12   SUBJECT TO PROTECTIVE ORDER

13

14   VIDEOTAPED DEPOSITION OF LINCOLN DALE,

15   VOLUME I

16

17   January 21, 2016

18   9:37 a.m. - 6:55 p.m.

19

20   555 Twin Dolphin Drive, 5th Floor

21   Redwood Shores, California

22

23   REPORTED BY:

24   James Beasley

25   CSR No. 12807, CCR No. 835, RPR

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 1        Q.    Okay.  So let me -- with that

 2   clarification, let me just ask you the question with

 3   respect to NX-OS.

 4              You recall, sir, that some engineers from

 5   time to time at Cisco would approach you for your

 6   input on how to specify a particular type of command

 7   expression for the NX-OS operating system from

 8   Cisco, correct?

 9        A.    Some engineers might have asked me for my

10   opinion on commands in NX-OS.

11        Q.    And you were generally familiar with the

12   stylistic guidelines and preferences of Cisco when

13   it comes to specifying CLI commands, correct?

14        A.    Broadly speaking.  I -- I -- I seem to

15   recall that there was a document that outlined

16   the -- the expression or the form that commands were

17   meant to take.  That said, I think my approach was

18   always one of what made logically the most sense.

19        Q.    And so for you, even if the guidelines

20   said something to you, you were making your own

21   decisions about what you thought was logical or not;

22   is that fair?

23        A.    I would have certainly had my own opinion.

24              Whether that was the direction that went

25   down for any specific command, I -- I don't recall
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1   the specifics.

2   Q.   And you do recall that different engineers

3   at Cisco had different opinions about how to express

4   certain CLI commands, do you recall that?

5   A.   Yeah, sure.

6   Q.   And you had your opinions, other people at

7   Cisco had their opinions on the same command

8   functionality, correct?

9   A.   Yeah, I mean, we might have had opinions

10 the same way, they might have been different. It

11 depends on the exact circumstances.

12   Q.   The choice of a particular command

13 expression for the CLI interface is a subjective

14 choice, isn't it?

15   MR. SILBERT: Objection. Vague.

16   THE WITNESS: Can you be more specific?

17 BY MR. PAK:

18   Q.   It's an individual choice, the individual

19 engineer ultimately decides, if he's responsible for

20 that CLI command, the particular expression that he

21 ultimately chooses; it's a subjective choice,

22 correct?

23   A.   I actually don't know if it comes down to

24 the individual engineer or not. There might have

25 been a process by which managers had to approve it,

1 I don't honestly know.

2   Q.   The initial -- let me break that into

3 different parts.

4   The initial decision by an engineer to

5 propose a CLI expression, that's an individual

6 subjective choice, correct?

7   A.   Sure. Someone needs to come up with a

8 command to start with.

9   Q.   And so you as an engineer at Cisco, if you

10 were asked to express a CLI command expression for a

11 particular functionality that was being added, you

12 would come up with your preference and make a

13 subjective choice based on what you thought was the

14 best fit; is that true?

15   A.   No, I don't -- there are -- I can think of

16 cases where that wouldn't be correct. I think

17 there's certainly been cases where we've asked

18 customers what they would like as commands or what

19 they feel makes the most sense. So it's not always

20 up to an engineer to come up with that.

21   Q.   But it can be up to an engineer, you can

22 have situations where an engineer can come up with a

23 particular command expression for a functionality in

24 CLI that is his preference, correct?

25   A.   I guess so, sure.

1   Q.   And when you were having these different

2   opinions, those were your personal opinions and

3   preferences for how a CLI command expression should

4   be expressed, correct?

5   A.   Yeah, sure, I guess so.

6   Q.   Okay. And isn't it true that for any of

7   these functional aspects of a switch or a router

8   that you could have many different command

9   expressions for the same functionality?

10   A.   It's possible, but in all honesty, a lot

11 of these things just make logical sense. You

12 wouldn't put commands not related to interfaces

13 under interfaces. You wouldn't put things not

14 related to IP under IP. Likewise, something related

15 to IP would make logical sense to put under IP.

16   Q.   Granted. But even with those logical

17 guidelines, how you choose certain words, what word,

18 those words are chosen, whether you use

19 abbreviations or not, those are individual choices

20 that could be made by a Cisco engineer?

21   A.   They could be, but, again, things like

22 abbreviations, you'd be typically using industry

23 standards or well-known acronyms. You would be

24 referencing things that if you're implementing a

25 standard or something as part of a standard you'd be